

DEPARTMENT OF HEALTH SERVICES

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(916) 657-2941

October 26, 1994

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Managers and Liaisons
All County Sneede Coordinators

Letter No.: 94-80

FILE RETENTION FOR THE SNEEDE V. KIZER LAWSUIT

Ref.: All County Welfare Directors Letter (ACWDL) No. 90-04, and Page 5 of ACWDL No. 92-41 (Sneede Retroactive Procedures), and E-Mail No. DHS 94118 dated August 29, 1994

BACKGROUND

As you are aware, the court's decision in the Sneede v. Kizer agreement required applicants/beneficiaries to identify whether there had ever been a class member in their family back to May 1, 1986. If yes, the county was required to screen the case back to May 1986 to determine if the family was entitled to a refund for any month(s) in the retroactive period.

To ensure that all potential retroactive Sneede cases were available for possible screening, it was necessary to instruct counties to retain all Medi-Cal Only cases closed from May 1986 forward. This instruction was transmitted via ACWDL No. 90-04, dated January 8, 1990.

PROCEDURES SECTION 2G

The procedures portion of the Medi-Cal Eligibility Manual (Section 2G) outlines the requirements in Division 23, Manual of Policies and Procedures, governing case record retention. Generally, counties must retain Medi-Cal case records documenting eligibility, as well as, all budget documents for three and one-half years after the case is closed, unless a court case requires a longer retention period.

ACTION REQUIRED

The following closed Medi-Cal-Only case records may now be purged as appropriate following the purge criteria outlined in Procedures 2G, as long as the last action is over three and one-half years old:

- a) Closed cases which have not been, nor ever will be, screened for retroactive eligibility because the case has never come to the attention of the county as including a class member, and a completed Sneede Application has never been returned by the beneficiary, and
- b) Closed cases for which a Sneede Application was returned with all "no" replies to Question No. four on the form, and

All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Managers and Liaisons
All County Sneed Coordinators
Page 2

c) Closed cases screened for retroactive eligibility which have never had a class member in the family.

Important: All closed cases which have been identified as having a class member, whether or not there was a Sneed refund shall continue to be retained until further notice. We do not have the court's permission to purge those files.

If you have any questions about this information, you may call Ms. Marie Leonard of my staff at (916) 657-2701.

Sincerely,

ORIGINAL SIGNED BY

FRANK S. MARTUCCI, Chief
Medi-Cal Eligibility Branch